

NORTH AMERICA. No. 7. (1865.)

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CORRESPONDENCE

RESPECTING THE

PROCLAMATION

ISSUED BY THE

PRESIDENT OF THE UNITED STATES

ON THE

22ND OF MAY, 1865.

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*Presented to both Houses of Parliament by Command of Her Majesty.*  
1865.

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Correspondence respecting the Proclamation issued by the  
President of the United States on the 22nd of May, 1865.

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No. 1.

*Sir F. Bruce to Earl Russell.—(Received June 7.)*

My Lord,

*Washington, May 26, 1865.*

I HAVE the honour to inclose herewith, a Proclamation opening to foreign trade the ports on the seaboard of the United States, with the exception of those in Texas, after the 1st of July. The delay of a month is required, in order to reorganize the Customs Establishments at the ports.

Two considerations will operate strongly in the restoration of unrestricted commerce with the Southern States. The rebellion having been suppressed, the North seeks for compensation for the sacrifices it has made in trade with those regions, and demands the cessation of the abuses and favouritism which have characterized the system of trading under Treasury permits which was initiated during the war.

Moreover the introduction of Northern capital and energy will give employment to the Southern people, who are now starving, and it is hoped will tend to develop the resources of the States, and thus promote the restoration of tranquillity.

I feel convinced that in a short time all attempts to impose restrictions on trade in any shape will be found impracticable.

The South is destitute of everything, and the Government is obliged to issue rations in many places to prevent the people from dying of famine.

In order to induce the people to resume cultivation, and to enable them to provide for themselves, it is necessary that the holders of cotton in the plantations should be induced to bring it to market by withdrawing the threat of seizure, and it appears to me that vague threats of confiscation of property cannot be kept hanging over the heads of the proprietors in general. An amnesty which shall reassure the masses cannot be long withheld.

The clause in the Proclamation stating that persons trading with the ports of the United States in violation of the laws will be regarded as pirates is to me unintelligible, nor can I obtain any satisfactory explanation of it. I think it is inserted *in terrorem*, as such offences must be dealt with according to law, and no Tribunal would consider persons guilty of such acts as guilty of piracy.

I have, &c.  
(Signed) **FREDERICK W. A. BRUCE.**

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Inclosure in No. 1.

DEPARTMENT OF STATE.

By the President of the United States of America.

*A Proclamation.*

WHEREAS, by the Proclamation of the President of the eleventh day of April last, certain ports of the United States therein specified, which had previously been subject to blockade, were, for objects of public safety, declared, in conformity with previous special legislation of Congress, to be closed against foreign commerce during the national will, to



be thereafter expressed and made known by the President ; and whereas events and circumstances have since occurred which, in my judgment, render it expedient to remove that restriction, except as to the ports of Galveston, La Salle, Brazos de Santiago (Point Isabel), and Brownsville, in the State of Texas :

Now, therefore, be it known that I, Andrew Johnson, President of the United States, do hereby declare that the ports aforesaid not excepted as above shall be open to foreign commerce from and after the first day of July next ; that commercial intercourse with the said ports may, from that time, be carried on, subject to the laws of the United States and in pursuance of such regulations as may be prescribed by the Secretary of the Treasury. If, however, any vessel from a foreign port shall enter any of the before-named excepted ports in the State of Texas, she will continue to be held liable to the penalties prescribed by the Act of Congress approved on the thirteenth day of July, eighteen hundred and sixty-one, and the persons on board of her to such penalties as may be incurred pursuant to the laws of war for trading or attempting to trade with an enemy.

And I, Andrew Johnson, President of the United States, do hereby declare and make known that the United States of America do henceforth disallow to all persons trading or attempting to trade in any ports of the United States in violation of the laws thereof, all pretence of belligerent rights and privileges ; and I give notice that, from the date of this Proclamation, all such offenders will be held and dealt with as pirates.

It is also ordered, that all restrictions upon trade heretofore imposed in the territory of the United States east of the Mississippi River, save those relating to contraband of war, to the reservation of the rights of the United States to property purchased in the territory of an enemy, and to the twenty-five per cent. upon the purchases of cotton, are removed. All provisions of the internal revenue law will be carried into effect under the proper officers.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-second day of May, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States of America the eighty-ninth.

(L.S.) ANDREW JOHNSON.

By the President,  
W. HUNTER, *Acting Secretary of State.*

No. 2.

*Earl Russell to Sir F. Bruce.*

Sir,

*Foreign Office, June 16, 1865.*

THE clause in the President's Proclamation of the 22nd of May which threatens certain offenders as pirates, and which you justly describe in your despatch of the 26th ultimo as unintelligible, seems to have arisen from a confusion of two very separate offences.

The one would be the offence of attempting to trade, to carry manufactures or provisions, for instance, into such ports as Charleston, Mobile, or Wilmington, ports in the possession of the United States. This would be an offence of violating laws and regulations of the nature of Custom-house regulations, and punishable as such.

The other would be the offence of attempting by armed vessels, such as the "Stonewall," to break into the ports of Galveston and Brownsville, then in the possession of the Confederates, with a view of aiding them in their insurrection.


This would be an offence against the sovereignty of the United States, and the state of war having ceased, would amount to the crime of high treason.

Neither offence could constitute piracy, which is a crime against all mankind.

But as, since the date of the Proclamation, Galveston and the other ports excepted have been reduced within the obedience of the United States, it will probably not be necessary that you should point out this error in the Proclamation of the 22nd of May.

You will take care, however, to attend to any case in which a British subject may be wrongfully detained in prison, after the more recent Proclamations of the President, of which I have not, however, received from you official copies.

I am, &c.  
(Signed) RUSSELL.



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